

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

Claims 1 and 67 have been amended to include the features of Claims 23-26, with Claims 23-26 having been cancelled, and Claim 28 amended into independent form. Additionally, new Claim 97 has been added which is a method corresponding to independent apparatus Claim 28.

As presently amended, Claim 1 additionally includes a hill holder mechanism. The hill holder mechanism uses the hub of the second clutch or said carrier as an outer ring, and a sun gear or a member connected to the sun gear as an inner ring.

As is apparent, Cotterman does not disclose the claimed configuration. Rather Cotterman has a much more complex "no-back" feature involving different gearing ratios of the transmission as discussed on page 8, right column, line 69 through page 9, left column, line 26. Therefore, Claim 1 distinguishes patentably from Cotterman. For similar reasons, corresponding independent method Claim 67 is also patentably distinguishable from Cotterman.

Independent Claim 28, and corresponding independent method Claim 97, recite that a piston that fastens the

first clutch or the second clutch utilizes a ball screw as an operating mechanism.

Teske was cited by the Office to teach this feature conceded as being deficient from Cotterman. However, as is well established law, the proposed incorporation of the ball-screw of Teske into Cotterman requires some motivation in the prior art for the combination. Such motivation is clearly lacking from both references, as well as from the other art of record. Indeed, it is apparent that the proposed combination would require a wholesale reconstruction of the Cotterman transmission, thus rendering the combination improper for purposes of §103.

The Matsuoka reference, which was cited in connection with several of the dependent claims, fails to overcome the above-noted deficiencies of Cotterman and Teske.

Accordingly, it is respectfully urged that the outstanding rejections be withdrawn. It is further requested that all claims withdrawn from consideration be rejoined and allowed in view of the allowability of their respective base claims as discussed herein.

An early Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§1.16 and 1.17 which may be required by this paper, and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, then such extension is hereby requested.

Respectfully submitted,

MWS:JHV:adc

Miles & Stockbridge P.C.  
1751 Pinnacle Drive  
Suite 500  
McLean, Virginia 22102-3833  
(703) 610-8652

By:   
Mitchell W. Shapiro  
Reg. No. 31,568

July 22, 2004